

Serial No: 10/047,587
Third Amendment & Response
to Office Action dated October 20, 2004
Page 2 of 7

LISTING OF CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application. Please amend the claims as indicated below.

- 1-5. (Canceled)
6. (Previously presented) The intervertebral disc prosthesis of Claim 27, wherein the at least one defined line is selected from a linear indentation, a plurality of indentations or a plurality of perforations.
7. (Previously presented) The intervertebral disc prosthesis of Claim 27, wherein the portion of the resilient biocompatible material removed is a ribbon.
- 8-19. (Canceled)
20. (Currently amended) A method of maintaining an intervertebral space between adjacent vertebrae, comprising the steps of:
- (a) excising only a portion of an intervertebral disc, thereby creating a receiving slot in the intervertebral disc; and
 - (b) inserting into the receiving slot at least one intervertebral disc prosthesis, the intervertebral disc prosthesis comprising a body adapted to fit an intervertebral space between adjacent vertebrae, wherein the body comprises a resilient, compressible, biocompatible material.
- 21-26. (Canceled)
27. (Previously presented) An intervertebral disc prosthesis comprising:
a body adapted to fit an intervertebral space between adjacent vertebrae, wherein the body comprises a resilient biocompatible material; and

Serial No: 10/047,537
Third Amendment & Response
to Office Action dated October 20, 2004
Page 3 of 7

wherein the resilient biocompatible material has at least one defined line for removing a portion of the resilient biocompatible material.

28-29. (Canceled)

30. (Previously presented) An intervertebral disc prosthesis comprising:
a body adapted to fit an intervertebral space between adjacent vertebrae, wherein the body comprises a resilient biocompatible material; and
wherein the resilient biocompatible material is treated with a blood anti-coagulant.

31. (Canceled)

32. (Previously presented) A method of maintaining an intervertebral space between adjacent vertebrae, comprising the steps of:
(a) excising at least a portion of an intervertebral disc, thereby creating a receiving slot; and
(b) inserting into the receiving slot at least one intervertebral disc prosthesis, the intervertebral disc prosthesis comprising a body adapted to fit an intervertebral space between adjacent vertebrae, wherein the body comprises a dissected animal pericardium, and
wherein the dissected animal pericardium is detoxified, fixed and treated with an anti-calcification process before implantation into a patient.

33-34. (Canceled)

35. (Currently amended) A method of maintaining an intervertebral space between adjacent vertebrae, comprising the steps of:
(a) removing a minimal portion of the bony process of a vertebrae, thereby creating access to a damaged intervertebral disc;

Serial No: 10/047,587
Third Amendment & Response
to Office Action dated October 20, 2004
Page 4 of 7

- (b) excising only a portion of the intervertebral disc, thereby creating a receiving slot in the intervertebral disc; and
 - (c) inserting into the receiving slot at least one intervertebral disc prosthesis, the intervertebral disc prosthesis comprising a body adapted to fit an intervertebral space between adjacent vertebrae, wherein the body comprises a resilient biocompatible material.
36. (Canceled)
37. (Currently amended) A method of maintaining an intervertebral space between adjacent vertebrae, comprising the steps of:
- (a) making an incision in an intervertebral disc; and
 - (b) inserting a biocompatible material into the interior of the intervertebral disc ~~a biocompatible material, the interior of the intervertebral disc being at least partially hollowed out by removal of disc tissue or by disc herniation.~~
38. (Previously presented) The method of Claim 37, further comprising removing at least a portion of the intervertebral disc tissue.
39. (Previously presented) The method of Claim 37, further comprising removing only a portion of the intervertebral disc tissue.
40. (Previously presented) The method of Claim 37, further comprising selecting the amount of material to be inserted into the interior of the intervertebral disc from a sheet of the biocompatible material.
41. (Currently amended) ~~The method of Claim 40,~~ A method of maintaining an intervertebral space between adjacent vertebrae, comprising the steps of:
- (a) making an incision in an intervertebral disc;

Serial No: 10/047,587
Third Amendment & Response
to Office Action dated October 20, 2004
Page 5 of 7

- (b) selecting an amount of material to be inserted into the interior of the intervertebral disc from a sheet of a biocompatible material, wherein the sheet comprises at least one defined line selected from the group consisting of an indentation, a plurality of indentations, and a plurality of partial perforations; and
- (c) inserting into the interior of the intervertebral disc the biocompatible material.

42. (Previously presented) The method of Claim 37, wherein the material is a ribbon.
43. (Previously presented) The method of Claim 37, wherein the material is compressible.
44. (Previously presented) The method of Claim 37, wherein the material comprises a substance that, when in the interior of the intervertebral disc, has a consistency ranging from a semi-solid state to a solid state.
45. (Previously presented) The method of Claim 44, wherein the material is selected from the group consisting of a silicone-based polymer, methyl acrylate, a collagen-based gel, and a plastic.
46. (Previously presented) A sheet of biocompatible material for use in an intervertebral disc procedure, the sheet comprising at least one defined line selected from the group consisting of an indentation, a plurality of indentations, and a plurality of partial perforations.